

# FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION FM

VFA

The following application is submitted for action by the Chief, Broadcast Bureau.

ST	FILE NUMBER	CALL	APPLICANT AND LOCATION	NATURE OF APPLICATION
CA	BPH -910225MI N/M	NEW 93.5MHZ	DIANE K. HITT ROSAMOND CA	CP FOR NEW FM ON: FREQUENCY: 93.5 MMHZ., ERP: 3.0 KW H&V, HAAT: 91.4 METERS H&V, 34 55 11 118 19 01

LICENSE EXPIRATION DATE \_\_\_\_\_

\_\_\_\_\_  
CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT( ) CONSTRUCTION DATES, START \_\_\_\_\_ END \_\_\_\_\_  
 CONTESTED ( ) UNCONTESTED ( )

APPROVED \_\_\_\_\_

\_\_\_\_\_  
FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

ORIGINAL

LAW OFFICES OF  
BOOTH, FRERET & IMLAY

SUITE 150

1920 N STREET, N.W.  
WASHINGTON, D.C. 20036

ROBERT M. BOOTH, JR. (1911-1981)  
JULIAN P. FRERET  
CHRISTOPHER D. IMLAY

~~DUPLICATE~~

TELEPHONE  
(202) 296-9100  
TELECOPIER  
(202) 293-1319

February 25, 1991

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N. W., Room 222  
Washington, D. C. 20554

In re: Diane K. Hitt; Application for New  
FM Broadcast Station, Rosamond, CA.

Dear Ms. Searcy:

Enclosed herewith is an original and two copies of FCC Form 301, requesting authority by Diane K. Hitt to construct a new FM broadcast station at Rosamond, CA.

The required filing fee in the sum of \$2,030.00 is enclosed herewith by check.

Should any question arise concerning this application, kindly communicate with the undersigned.

Yours very truly,

  
Julian P. Freret

JPF:mf

Enclosures

Approved by OMB  
3060-0440  
Expires 12/31/90

FEDERAL COMMUNICATIONS COMMISSION

FEE PROCESSING FORM

ORIGINAL

FOR  
FCC  
USE  
ONLY

FCC/MELLON FEB 25 1991

FD-26-91 B195533 003

ORIGINAL

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

SECTION I

APPLICANT NAME (Last, first, middle initial)

HITT, DIANE K.

MAILING ADDRESS (Line 1) (Maximum 85 characters - refer to Instruction (2) on reverse of form)

18515 East Avenue H-6

MAILING ADDRESS (Line 2) (if required) (Maximum 85 characters)

CITY

Lancaster

STATE OR COUNTRY (if foreign address)

CA

ZIP CODE

93535

CALL SIGN OR OTHER FCC IDENTIFIER (if applicable)

New Application, Rosamond, CA

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

(A)

(B)

(C)

(1)

FEE TYPE CODE

M

T

R

FEE MULTIPLE  
(if required)

FEE DUE FOR FEE TYPE  
CODE IN COLUMN (A)

\$ 2,030.00

FOR FCC USE ONLY

SECTION II

— To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)

(B)

(C)

FEE TYPE CODE

FEE MULTIPLE  
(if required)

FEE DUE FOR FEE TYPE  
CODE IN COLUMN (A)

FOR FCC USE ONLY

(2)

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\$
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(3)

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\$
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(4)

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\$
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(5)

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\$
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ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED  
WITH THIS APPLICATION  
OR FILING

\$ 2,030.00

FOR FCC USE ONLY

2030.00

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

For COMMISSION Fee Use Only

FEE NO:

FEE TYPE:

FEE AMT:

ID SEQ:

For APPLICANT Fee Use Only

Is a fee submitted with this application?

☒ Yes ☐ No

If fee exempt (see 47 C.F.R. Section 1.1112), indicate reason therefor (check one box):

☐ Noncommercial educational licensee

☐ Governmental entity

FOR COMMISSION USE ONLY

FILE NO.

Section I - GENERAL INFORMATION

1. Name of Applicant

DIANE K. HITT

Street Address or P.O. Box  
18515 East Avenue H-6

City  
Lancaster

State  
CA

ZIP Code  
93535

Telephone No. (Include Area Code)  
1-805-727-1170

Send notices and communications to the following person at the address below. Copy to:

Name

BOOTH, FRERET & IMLAY

Street Address or P.O. Box  
1920 N Street, N. W., Suite 150

City  
Washington

State  
DC

ZIP Code  
20036

Telephone No. (Include Area Code)  
(202) 296-9100

2. This application is for:

☐ AM

☒ FM

☐ TV

(a) Channel No. or Frequency  
Ch. 228 93.5 MHz

(b) Principal  
Community

City

Rosamond

State

CA

(c) Check one of the following boxes:

☒ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MINOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MAJOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_ FEB 27 1991

☐ MINOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☐ AMENDMENT to pending application; Application file number: \_\_\_\_\_

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application?

☐ Yes ☒ No

If Yes, state:

Call letters

Community of License

93.5 MHz

State

BPH -910225MI NEW

ROSAMOND

CA

DIANE K. HITT

**Section II - LEGAL QUALIFICATIONS**

Name of Applicant

DIANE K. HITT

1. Applicant is: (check one box below)

- ☒ Individual      ☐ General partnership      ☐ For-profit corporation  
☐ Other      ☐ Limited partnership      ☐ Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

Exhibit No.

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date \_\_\_\_\_ Place \_\_\_\_\_

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant, including but not limited to, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, or debentures?

☐ Yes ☒ No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No.

5. Complete, if applicable, the following certifications:

DOES NOT APPLY

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☐ Yes ☐ No

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐ Yes ☐ No

If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐ Yes ☐ No

## Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.

2. Citizenship.

3. Office or directorship held.

4. Number of shares or nature of partnership interests.

5. Number of votes.

6. Percentage of votes.

7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.

8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 73.501, including the nature and size of such interests and the positions held.

1.	DIANE K. HITT 18515 East Avenue H-6 Lancaster, CA 93535		
2.	USA		
3.	Individual Applicant		
4.	--		
5.	--		
6.	--		
7.	None		
8.	None		

Section II - LEGAL QUALIFICATIONS (Page 3)

7. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☐ Yes ☒ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☐ Yes ☒ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

8. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

☐ Yes ☐ No

DOES NOT APPLY

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.

9. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.

Exhibit No.

OTHER MASS MEDIA INTERESTS

10. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction 8 to Section 11.)

☐ Yes ☐ No

THERE ARE NO SUCH INTERESTS

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an individual holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.

Section 11 - LEGAL QUALIFICATIONS (Page 4)

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

11. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction C to Section 11.)

☐ Yes ☒ No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.

12. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?

☐ Yes ☒ No

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure concerning persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.



### SECTION III - FINANCIAL QUALIFICATIONS

NOTE: If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue. ☒ Yes ☐ No
2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue. \$ 250,000.00
3. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
DIANE K. HITT	(805) 727-1170	Applicant	\$ 50,000.00
BRUCE W. GARY	(805) 945-4413	Lender	\$200,000.00

#### Section IV-A - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.  
1

#### Section IV-B - INTEGRATION STATEMENT

Attach as an Exhibit the information required in 1. and 2. below.

Exhibit No.  
2

1. List each principal of the applicant who, in the event of a grant of the application on a comparative basis proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed position and duties.
2. State with respect to each principal identified in response to Item 1. above, whether the applicant will claim qualitative credit for any of the following enhancement factors:
  - (a) Minority Status
  - (b) Past Local Residence  
If Yes, specify whether in the community of license or service area and the corresponding dates.
  - (c) Female Status
  - (d) Broadcast Experience  
If Yes, list each employer and position and corresponding dates.
  - (e) Daytime Preference

**SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

1. Does the applicant propose to employ five or more full-time employees?

☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 896-A).

**SECTION VII - CERTIFICATIONS**

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.8580?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

Exhibit No.

If No, attach as an Exhibit, a full explanation.

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted RAY LAUGHINGHOUSE

Telephone No. (include area code) (805) 945-1121

Person contacted: (check one box below)

☒ Owner

☐ Owner's Agent

☐ Other (specify)

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.  
U.S. CODE, TITLE 18, SECTION 1001.**

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant <i>DIANE K. HITT</i>	Signature <i>Diane K. Hitt</i>
Date <i>2-20-91</i>	Title Individual Applicant

**FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT  
AND THE PAPERWORK REDUCTION ACT**

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 71 hours 45 minutes to 301 hours 30 minutes with an average of 118 hours 28 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Office of Managing Director, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0027), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

EXHIBIT 1

Applicant will determine the issues of public concern facing Rosamond and the surrounding area and will air programs and PSAs responsive to these concerns, all on a regular basis.

The proposed musical format will be "light classics" and local news, weather and sports will be broadcast in the daily schedule.

EXHIBIT 2

Applicant Diane Hitt will work full time at the proposed station, at least 40 hours per week, as general manager. She will perform all tasks and assume all responsibilities normally associated with a station of the size contemplated, including supervision of all employees, hiring and firing, paying obligations and establishing general station policy.

Ms. Hitt resides in the proposed service area and has for six years.

She does not claim past broadcast experience, minority status, or a daytimer preference, but does claim preference for female status.

Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. \_\_\_\_\_

ASB Referral Date \_\_\_\_\_

Referred by \_\_\_\_\_

Name of Applicant

DIANE K. HITT

Call letters (if issued)

Is this application being filed in response to a window? ☒ Yes ☐ No

If Yes, specify closing date: 25-FEB-91

Purpose of Application: (check appropriate boxes)

☒ Construct a new (main) facility

☐ Construct a new auxiliary facility

☐ Modify existing construction permit for main facility

☐ Modify existing construction permit for auxiliary facility

☐ Modify licensed main facility

☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☐ Antenna supporting-structure height

☐ Effective radiated power

☐ Antenna height above average terrain

☐ Frequency

☐ Antenna location

☐ Class

☐ Main Studio location

☐ Other (Summarize briefly)

File Number(s) \_\_\_\_\_

1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
228	Rosamond	Kern	CA

Class (check only one box below)

☒ A ☐ B1 ☐ B ☐ C3

☐ C2 ☐ C1 ☐ C

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

5.0 kilometers north, northwest of Willow Springs, California

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	34	°	55	'	11	"	Longitude	118	°	19	'	01	"
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3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both.

DNA

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

DNA

## SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	°	′	″	Longitude	°	′	″
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5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
E-2Date 18-FEB-91 Office where filed Western Pacific Regional

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
(a) <u>Lloyd's Landing</u>	<u>2.15</u>	<u>137.0°</u>
(b) _____	_____	_____

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 864.1 meters(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 169.8 meters(3) of the top of supporting structure above mean sea level [(aX1) + (aX2)] 1033.9 meters

(b) Height of radiation center: (to the nearest meter) H - Horizontal; V - Vertical

(1) above ground 167.1 meters (H)167.1 meters (V)(2) above mean sea level [(aX1) + (bX1)] 1031.2 meters (H)1031.2 meters (V)(3) above average terrain 91.4 meters (H)91.4 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.  
E-3

9. Effective Radiated Power:

(a) ERP in the horizontal plane

3.0 kw (H\*) 3.0 kw (V\*)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

DNA kw (H\*) DNA kw (V\*)Exhibit No.  
DNA

\*Polarization



10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of the relative field.

Exhibit No.  
DNA

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.  
E-1

12. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
DNA

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☒ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

☒ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.  
E-1

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
DNA

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.  
DNA

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast *(except citizens band or amateur)* radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☐ Yes ☒ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.  
DNA

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
E-4

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
E-5

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 316 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 2,519 sq. km. Population 73,934 (1980 U.S. Census)

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
DNA

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☒ Linearly interpolated 30-second database ☐ 7.5 minute topographic map

(Source: NGDC 30-second point elevation database)

☐ Other *(briefly summarize)*

## SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 8 to 16 km (meters)	Predicted Distances	
		To the 816 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
115.6	258.3	21.94	37.33
0	-24.6	7.48	13.31
45	131.8	15.50	27.29
90	194.7	19.16	32.77
135	262.8	22.12	37.61
180	264.1	22.17	37.68
225	217.1	20.18	34.59
270	39.4	8.51	15.02
315	-354.6	7.48	13.31

\*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

## 20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No


If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.  
DNA

If No, explain briefly why not. See Exhibits E-1, E-8 and E-11

## CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed) Lawrence L. Morton, P.E.	Relationship to Applicant (e.g., Consulting Engineer) Consulting Engineer
Signature 	Address (Include ZIP Code) 1231 Mesa Oaks Lane Mesa Oaks, CA 93436-2309
Date 18-FEB-91	Telephone No. (Include Area Code) 805 733-4275

**ENGINEERING EXHIBITS  
IN SUPPORT OF APPLICATION  
FOR CONSTRUCTION PERMIT**

February 18, 1991

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Diane K. Hitt  
FM Channel 228A □ 93.5 Megahertz  
Rosamond, California

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<b>EXHIBIT</b>	<b>DOCUMENT DESCRIPTION</b>
E-1	Engineering Statement and Affidavit
E-2	FAA Form 7460-1, Notice of Proposed Construction
E-3	Vertical Plan Sketch of Antenna Supporting Structure
E-4	Full-Size 7.5 Minute Topographic Map of Transmitter Site and Vicinity
E-5	Map of Proposed Coverage Contours
E-6	Terrain Profile Graphs
E-7	Predictions of F(50,50) Field Strength at Points Along Terrain Profile Graphs Using Longley-Rice Propagation Model
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E-11	Graph of Predicted Radio Frequency Nonionizing Radiation Power Density as a Function of Distance From Base of Proposed Supporting Structure

## **EXHIBIT E-1 ENGINEERING STATEMENT**

The information and data contained within these Engineering Exhibits were prepared on behalf of Diane K. Hitt, in support of an Application for Construction Permit to build a new Class A FM broadcast station on Channel 228, 93.5 Megahertz, to serve the community of Rosamond, California.

### **I. ANTENNA AND TRANSMITTER LOCATION**

The proposed transmitter site is located 5.0 kilometers (3.1 miles) north, northwest from the center of Willow Creek, California, and 15.4 kilometers (9.6 miles) from the reference coordinates of Rosamond in a direction of 295.6 degrees True North. The site is located in an unincorporated area of Kern County. The ground elevation is 864.1 meters (2835 feet) AMSL.

The geographical coordinates of the proposed site are:

North Latitude: 34 degrees, 55 minutes, 11 seconds  
West Longitude: 118 degrees, 19 minutes, 01 seconds

There are no authorized FM nor full service television stations within 10 kilometers (6.2 miles) of the proposed site nor AM broadcast stations within 3.2 kilometers (2.0 miles).

The topographic data of exhibit E-6D along the 115.6 degree bearing shows the relationship between the site and the U.S.G.S. centroid geographic coordinates for the community of Rosamond.

The proposed supporting structure will be a guyed steel tower 169.8 meters (557 feet) in height including top-mounted lighting beacon. The antenna radiation center will be 167.1 meters (548.2 feet) above ground. Exhibit E-3 shows the vertical plan sketch of the proposed tower and antenna configuration. At the specified antenna height, by methods later described, the height above average terrain was determined to be 91.4 meters (299.7 feet).

The proposed transmitter site is located 287 kilometers (178 miles) from the nearest point on the U.S.-Mexican Border and, therefore, falls under the jurisdiction of the Agreement Between The United States of America and The United Mexican States Concerning Frequency Modulation Broadcasting In The 88 To 108 MHz Band of 1972. According to the curves of Annex IV within the Agreement, the maximum permissible HAAT for a Class A station operating at full 3.0 kilowatts is 300 feet. Since the proposed HAAT is 91.4 meters (299.7 feet), an effective radiated power of 3.0 kilowatts, is herein proposed.

## II. TECHNICAL PROPOSAL

The applicant proposes to utilize a Harris Corporation Model HT-3.5FM FM transmitter with a rated maximum power output of 4 kW. An Electronics Research, Incorporated, Model 200-2AE two-bay circularly-polarized, nondirectional FM antenna will be employed. This antenna has a power gain of -0.013 dB (0.9971  $A_p$ ). To produce an effective radiated power of 3.0 kilowatts, an antenna input power of 3.0087 kW is required.

Andrew Corporation type HJ8B-50 3" air-dielectric Helix cable is proposed with a total line length of 178.3 meters (585 feet). The attenuation through this line at the operating frequency is 0.1345 dB per 100 feet.

It is proposed to operate the Harris Corporation transmitter with a power output of 3.6065 kW. With a loss of 0.5978 kW (0.7871 dB) in the transmission line, the resultant line efficiency is 83.4246 percent. Coupled with the above specified antenna gain, this combination will produce an ERP of 3.0 kW.

## III. PREDICTED COVERAGE CONTOURS

The locations of the predicted service contours shown in exhibits E-5 and E-10 were computed according to computer methods outlined in F.C.C. publication PB-249144, Field Strength Calculations for TV And FM Broadcasting. The computer methods involve the use of digitized data taken directly from the graph of §73.333 Figure 1. Intermediate values are obtained through the use of bivariate interpolation techniques for surface fitting.

The average elevations from 3 to 16 kilometers (2 to 10 miles) on radials for each 45 degrees of azimuth starting with True North from the antenna were determined from topographic data obtained from the computerized 30-second point elevation database version of Elevation Data For North America, available from the Department of Commerce, National Geophysical Data Center, National Oceanic and Atmospheric Administration. A total of 131 points along each radial were linearly interpolated according to the requirements of §73.312(d).

The height of the antenna radiation center above average terrain was determined from these data. Finally, the height above average terrain (HAAT) was computed by averaging the radial elevations below the antenna radiation center in accordance with §73.313(d).

Exhibit E-10 is a cartographic representation of the proposed 70 and 60 dB $\mu$ F(50,50) contours overlaid with terrain shielding lines. The distances to the contours were based on the antenna radiation center above average terrain elevations from 3 to 16 kilometers (2 to 10 miles) on 360 radials spaced at one degree azimuthal intervals, as extracted from the aforementioned terrain database.

#### IV. BOUNDARIES OF ROSAMOND

Rosamond is an unincorporated area within Kern County and does not have clearly defined boundaries. The U.S. post offices at Edwards Air Force Base and Rosamond were contacted and supplied postal boundaries for the area served by the Rosamond Post Office. The boundaries given by both post offices were identical so it is believed that these boundaries represent the most accurate determination of the unincorporated area of Rosamond.

The locations of the boundaries of Rosamond were carefully digitized from U.S.G.S. 7.5 minute topographic maps of the area for inclusion on the computer-drawn coverage maps of exhibits E-5 and E-10.

#### V. NATURE OF TERRAIN WITHIN ROSAMOND

Several potential transmitter sites were studied in and around the Rosamond area in an effort to secure a centrally located site which would maximize coverage of Rosamond and the surrounding areas. The postal boundaries of Rosamond extend over a considerable area which has an abundance of small hills. Exhibit E-6D is a terrain profile graph depicting the intervening terrain between the proposed transmitter site and the U.S.G.S. geographical coordinates of the reference location of Rosamond.

Of the sites studied by the applicant, none could be found from which the entire community boundaries could be served without terrain shielding occurring to portions of the area. Exhibit E-10 shows that small portions of Rosamond are not within line-of-sight from the proposed antenna radiation center.

The proposed transmitter site was chosen in order to maximize efficient use of the limited broadcast spectrum. Due to the nature of the terrain in the region, this small amount of shadowing was unavoidable consistent with efficient spectrum utilization. However, since only a small portion of the principal community is not within line-of-sight from the proposed antenna radiation center, and since the 70 dB $\mu$  contour will more than encompass the entire community, it is submitted that the applicant is in compliance with §73.315(b) relative to selection of antenna sites in order to avoid "major obstruction[s]." See e.g., Rush County Broadcasting Co., Inc., 26 FCC2d 480, 482 (1970); Jesse Willard Shirley, 36 FCC2d 127, 129 (1972).

In the unlikely event that a waiver of the Rule is deemed necessary, the applicant hereby respectfully requests same. Compare A.B.C.D. Broadcasting Company, 2 FCC Rcd 6551, 6552 (HDO 1987) (Waiver of §73.315(a) of the Commission's Rules requiring a 3.16 mV/m signal over the entire community of license is not necessary where that contour covers more than 80% of the community).

#### VI. POPULATION AND AREA CALCULATIONS

The 60 dB $\mu$  (1.0 mV/m) contour based on nine bearings was decomposed and described mathematically by a polygonal area which was used in conjunction with the computerized



**Master Area Reference File** 1980 Census database made available by the U.S. Department of Commerce, Bureau Of The Census, to determine the population residing within the predicted 60 dB $\mu$  contour.

The smallest census levels considered within Minor Civil Divisions and Census County Divisions include Tracts and Block Groups within tracted and block-numbered areas, Enumeration Districts within tracted and partially block-numbered or nonblock numbered areas, and Block Numbering Areas within areas not tracted. When the centroid coordinates fell within the predicted contour, the entire population was considered to reside within the contour. When the centroid fell outside the contour, no portion of the population was counted.

The land area within the 60 dB $\mu$  contour was computed using numerical integration employing the computed distances to the contour along the aforementioned bearings. Distances to intermediate azimuths of one degree were obtained mathematically by piecewise third-order polynomial approximations.

## **VII. LONGLEY-RICE FIELD STRENGTH PREDICTIONS**

Exhibits E-7A through E-7I are a series of graphs depicting the expected F(50,50) signal in dB $\mu$  as a function of distance along each of the nine radials shown in exhibits E-6A through E-6I.

To determine the signal strength at each point along a radial, the vertical plane radiation characteristics of the two-bay  $\lambda$ -spaced-element FM broadcast antenna with 0.0 degrees beam tilt and 0.0 percent null fill were computed at each vertical depression angle from horizontal. The vertical angle was obtained by assuming a transmitting antenna radiation center of 1031.2 meters (3383.2 feet) above mean sea level, and a receiving antenna height of 9 meters (30 feet) above ground at each point considered, and the horizontal distance to such point.

In cases where a point was shielded from direct line-of-sight from the transmitting antenna, the vertical angle was taken to be the angle to the top of the highest apparent obstruction between the transmitting antenna and the point of interest assuming an effective earth radius 4/3 that of the actual radius to account for atmospheric refraction.

The field strength at each point was then computed using a computerized implementation of the tropospheric radio propagation model developed at the Institute for Telecommunications Sciences and Aeronomy, Environmental Science Services Administration, National Bureau of Standards, by P. L. Rice, Anita G. Longley, Kenneth A. Norton and A. P. Barsis, and published for the first time in 1965. This model, known as the Longley-Rice propagation model is also commonly referred to as "Tech Note 101".

The model depends on propagation path geometry and atmospheric refractivity near the surface of the earth. Calculations of expected transmission loss for paths within the radio horizon are based on geometric-optics ray theory. For paths with a common horizon, Fresnel-Kirchoff knife-edge diffraction theory is applied. For double horizon paths that extend only slightly over